(B)

1. C.F. (166)

Single Bench

IN HIGH COURT OF JUDICATURE OF CHHATISHGARH AT BILASPUR

WRIT PETITION 4266/2004

PETITIONER - 43 Damarudhar Patel aged about

Shri Raja ram presently working as Assistant teacher Jongra, Tahsil – Sakti, Distt. – Janjgir Chanpa, Chhattishgarh

R.R. No. 42-77/04
Presented by Shri Samir Kr. Gupta
dated 03/11/04

Versus

RESPONDENTS:

1. The State of Chhattisgarh, Through: the Secretary, Department of Education, Govt. of Chhattisgarh, D. K. S. Bhawan, Raipur
2. Collector Distric- Janjgir Champa, Chattisgarh .
3. District Education Officer District Janjgir- Champa Chattisgarh.
4. Block Education Officer Sakti, District- Janjgir-Champa. Chattisgarh.
5. Shri Narayan Prasad Rathore Presently working as Assistant Teacher At sigansara, Teh Sakti ,Dist janjgir champa Chhatisgarh.

Received copy 3/11/04
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4266 सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	8.2.2005 Shri Sanjay Kumar Agrawal, Counsel for the petitioner. Shri Sudhir Agrawal, Panel Lawyer for the State/respondents 1 to 4 on advance copy. Heard. Learned counsel for the petitioner submits that the petitioner is presently working as Assistant Teacher at Jurga Primary School under the Block Education office, Sakti, District Janjgir-Champa. Respondent No.5 is also working as Assistant Teacher at Sigamsara, Primary School under Block Education office, Sakti, District Janjgir-Champa. The present petitioner and respondent No.5 were appointed on the same post on the same day i.e. 5.2.1982 and they are governed by the same rules in relation to their service conditions. Learned counsel for the petitioner further submits that the petitioner is presently getting a salary @ Rs. 6500/- per month whereas respondent No. 5 is getting his salary @ Rs. 6650/- per month. Certificate to this effect has been filed as Annexure P-1 collectively. Learned Counsel for the petitioner submits that there cannot be anomaly in the payment of salary to this extent that the persons employed on the same post on the same day will get salary at different rates, who are working under the same Block Education office. He also submits that the petitioner has given many representations in this regard which are filed as Annexures P-2 and P-3, but the authorities of the respondents are not deciding the representations and are not satisfying the grievance raised by the petitioner.	

Gr. PRJ—FS/350—12/2000—50,000.

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4266 सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश –2–	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

During the course of arguments, learned Counsel for the petitioner makes a limited prayer that presently, the petitioner may be given an opportunity to file a fresh representation to the competent authority and the competent authority should be directed to decide the representation within a stipulated period.

This limited prayer made by learned Counsel for the petitioner is not opposed by the counsel for the State.

Accordingly, the prayer is allowed.

The petitioner may make a representation within a period of 15 days from today along with a copy of this order and a copy of writ petition before the competent authority and if such a representation is field, the competent authority, in turn, shall decide the representation within a period of two months from the date of receipt of the same by passing a reasoned order in this regard.

With the aforesaid observations, the petition stands finally disposed of.

Consequently, M.W.P.No.4624/2004 and I.A.No.8629/2004 also stand disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

sunita

Gr. PRJ—FS/350—12/2000—50,000.